## IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:11-cv-106

FRANCES KAY SURRETT,	
Plaintiff,	
vs.	ORDER
CONSOLIDATED METCO, INC., LUCY JONES, individually, and STEVE	
THOMPSON, individually,	
Defendants.	

THIS MATTER is before the court pursuant to a filing made by the parties entitled "Certification and Report of F.R.C.P. 26(f) Conference and Discovery Plan" (#23). On June 21, 2011 the undersigned entered a Pretrial Order and Case Management Plan (#7) in this matter. Thereafter, the plaintiff, with consent of defendants, moved to amend the Complaint (#12). That motion was allowed on October 27, 2011 (#15). The Amended Complaint was filed on November 1, 2011. Defendants filed an Answer (#21) on November 18, 2011. Thereafter, on November 21, 2011 the Clerk sent a notice to the parties directing them to conduct an initial attorneys conference. This notice was sent inadvertently. The Initial Attorneys Conference had already been held and a scheduling order filed in this matter (#7). The Certification of Initial Attorneys Conference and Discovery Plan (#23) filed on December 12, 2011 is moot.

## **ORDER**

IT IS, THEREFORE, ORDERED that the Certification and Report of F.R.C.P. 26(f) Conference and Discovery Plan (#23) filed on December 12, 2011 has been rendered MOOT by the previously entered Pretrial Order and Case Management Plan (#7).

Signed: December 20, 2011

ennis & Hawel

Dennis L. Howell

United States Magistrate Judge